

Official Minutes for Webb County
Commissioners Court Meeting

Monday, September 28, 2009 at 9:00 AM
(approved on October 13, 2009)

Call to order by Judge Danny Valdez

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

Danny Valdez	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Rosaura "Wawi" Tijerina	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Sergio "Keko" Martinez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 25th of September 2009. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 1. Roll Call by Honorable Margie Ramirez-Ibarra, Webb County Clerk

Item No. 2. Pledge of Allegiance

Item No. 3. Approval of Minutes for September 14, 2009, September 22, 2009

Comr. Tijerina motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 4. Approval of Bills, Payroll, and Monthly Report

Ms. Delia Perales, County Treasurer, presented her monthly report ending August.

Comr. Tijerina motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5. Communications

Judge Valdez sent his condolences to the Hopson family and Mr. Gary Jacobs. He also wished a happy birthday to Comr. Tijerina and congratulated everyone present at the Domestic Violence Proclamation.

Comr. Sciaraffa wished Comr. Tijerina a happy birthday and thanked everyone who was involved in helping out during the bomb threat. He invited everyone to attend the Pink to Do walk on October 3rd.

Comr. Tijerina thanked everyone for being present at the Domestic Violence Ceremony, reminded everyone that this coming month was Breast Cancer Awareness month and invited everyone to attend the Pink to Do on Saturday as well as the Mental Illness Awareness Week of which there will be a Proclamation at City Hall on October 5th. She also

reminded everyone of the Red Mass from the Legal Community will be scheduled for October 6th at St. Augustine Cathedral. Cmr. Tijerina wished success to the Laredo Firefighters on the upcoming Firefest and sent her condolences to the Hopson Family and Mr. Gary Jacobs.

Cmr. Garza asked some members of the TAMU Alumni Association who were present to step forward for a brief announcement. Mr. Fernando Morales and Mr. Rolando Navarro invited everyone to attend the 5th Annual Autmust Fest.

Cmr. Garza also introduced Mr. Ramon Luis Flores along with his parents Mr. and Mrs. Juan and Adriana Flores. He advised the Court that Mr. Ramon Luis Flores will be working on the Ego Scout Leadership project at the Buenos Aires Community Center. Mr. Flores explained to the Court his plan on his project.

Cmr. Martinez sent his condolences to Mr. Gary Jacobs and wished Cmr. Tijerina a happy birthday. He encouraged everyone to attend and participate in the breast cancer awareness activities.

Item No. 6. Public Comment - This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of Three (3) minutes within which to make any/all public comments.

1st witness card – Jorge Rodriguez

Mr. Rodriguez commended the Court on the decisions made in the last two weeks even though they were tough decisions. He also commended the Court for forming a committee to look into the cemetery issues.

2nd witness card – Daniel Castillon, Executive Director for MHMR

Mr. Castillon spoke on item #13 wherein he thanked the Court for supporting the Mental Health Unit and stated that the work done by the individuals is vital to the community. He thanked the former administration which was under Judge Garza for an excellent job.

3rd witness card – Jose Soto, Laredo Veterans Coalition

Mr. Jose Soto thanked the Court for the support they have given to the museum. Mr. Ernesto Sanchez thanked the Court for the support to the museum and for Mr. Tony Silva for doing a great job. Mr. Richard Rosell thanked the court on behalf of all the veterans.

Honorable Danny Valdez, Webb County Judge

Item No. 7. Status report by the Purchasing Agent regarding the Texas Parks & Wildlife building, with discussion and possible action to set a date for the Ribbon Cutting Ceremony event; and any other matters incident thereto.

Status report given by Mr. Eloy Ramirez, Purchasing Agent, on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court dvd.

Item No. 8. Status report by the Purchasing Agent regarding the feasibility study for the Tex-Mex Building; with discussion and possible action; and any other matters incident thereto.

Status report given by Mr. Eloy Ramirez, Purchasing Agent, Teresa Hunter and Anna Laura Cavazos Ramirez, County Attorney's Office and Mr. Fitzgerald Sanchez, Engineering Department on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court dvd.

Within the discussion, Cmr. Garza stated for the record that any type of structure which has a building and a parking garage either at the bottom or top would create a security issue.

- Item No. 9. Status report by the County Attorney's office regarding a Memorandum of Understanding between the City of Laredo and Webb County for the Veteran's Museum, with discussion and possible action, and any other matters incident thereto. [Co-Sponsored by Rosaura "Wawi" Tijerina, Webb County Commissioner, Pct 2]**

Status report given by Mrs. Mary Higgins Santos, County Attorney's Office on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court dvd.

Within the discussion, Cmr. Tijerina asked Mrs. Santos to provide a status report to the Court after her scheduled meeting which was to be on Wednesday, September 30th.

Judge Valdez announced that Saturday was proclaimed as Boxing Day.

Honorable Rosaura "Wawi" Tijerina, Webb County Commissioner Pct. 2

- Item No. 10. Discussion and possible action to authorize the Purchasing Agent to request the solicitation of bids for the Texas Community Development Program Contract #728449 for the Water Wells Project in Oilton and Bruni, Texas. [Requested by Rosaura "Wawi" Tijerina, Webb County Commissioner, Pct. 2 and Co-Sponsored by Juan Vargas, Economic Development Director; Account #709-8001-6701]**

Cmr. Sciaraffa motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present.

- Item No. 11. Discussion and possible action to accept the contract between Webb County and the Texas Department of Rural Affairs for the TCDP #R72900A in the amount of \$407,850 and TCDP #R72900B in the amount of \$12,150 to commence September 15, 2009 through September 14, 2011 for the water system improvements for Mirando and the expansion of the fire station to serve the rural communities of Mirando, Bruni, and Oilton; and authorize the County Judge to sign all relevant documents.**

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Judge Valdez not present.

Honorable Jerry Garza, Webb County Commissioner Pct. 3

- Item No. 12. Discussion and possible action to approve a Resolution to renew the County's continued participation in the Webb County Medicaid UPL, including adoption of the conditions for continued participation; approval of an Amendment to the current Affiliation Agreement and a certification of participation, consistent with the State's rules for private hospital Medicaid UPL programs; and any other matters incident thereto, and to authorize the County Judge to sign all relevant documents. [Requested by Webb County UPL Committee]**

Mrs. Teresa Hunter, County Attorney's Office stated that there was a sentence that needed to be added under the agreement which read: "*This agreement shall operate consistently with Section 355.8063(t)(2) Title 1 of the Texas Administrative Code.*"

Cmr. Garza motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13. Discussion and possible action to transfer the Supervision of the Mental Health Unit, Dept. 2005, to Constable Rodolfo Rodriguez, Precinct 1, Dept. 2500:

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Cmr. Garza motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 4-0 with Cmr. Martinez abstaining from voting.

Item No. 14. Discussion and possible action to approve the transfer and reclassification of the following Slots:

From:		To:
Slot #2240	County Court at Law 2	Mental Health Unit
Slot #0545	Mental Health Unit	County Court at Law 2
		(Reclassify Slot as Peace Officer)

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Cmr. Garza motioned to defer this item. Cmr. Tijerina seconded the motion.

Motion carried 4-0 with Cmr. Martinez abstaining from voting.

Honorable Sergio Martinez, Webb County Commissioner Pct. 4

Item No. 15. Discussion and possible action to issue a "Certification Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize an electrical connection pursuant to Section 232.029(c)(1), Local Government Code to an unplatted tract of land containing 3.0369 acres, out of Porcion 10, as further described in Vol. 1176, Pgs. 360-362, of the Webb County Deed Records (electricity-one dwelling for a total of two dwellings only).

Cmr. Martinez motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 4-0 with Cmr. Tijerina not present.

Item No. 16. Discussion and possible action to issue a "Certification Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize an electrical connection pursuant to Section 232.029(c)(2), Local Government Code to an unplatted tract of land containing 4.9933 acres, being known as Tract 40, Los Minerales, as further described in Vol. 2568, Pgs. 102-107, of the Webb County Deed Records (electricity-one dwelling only).

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Tijerina not present.

Item No. 17. Discussion and possible action to approve the following line item transfer:

From:	010-7002-6205	Material & Supplies	2,600
To:	001-0106-6401	Building Maintenance/ Repairs & Maintenance	2,600

Mr. Leo Flores, County Auditor, stated that the transfer from account which was Road and Bridge could not be utilized and provided an alternate account number which was the General Operations -Operational Reserve #001-0109-6203.

Cmr. Martinez motioned to approve the item with the correction that instead of 010-7002-6205, the General Operations – Operational Reserve account 001-0109-6203 be utilized. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Anna L. Cavazos Ramirez, County Attorney

Item No. 18. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) MiService Solutions Support Plan with Mitel Networks, Inc. in the amount of FORTY-FIVE THOUSAND SEVEN HUNDRED THIRTY-ONE DOLLARS AND NINETY-SIX CENTS (\$45,731.96) to provide for systems monitoring, major and minor equipment failure service, parts replacement, major and minor software failure and software updates for the Webb County telephone network system and authorizing the Webb County Judge to sign all relevant documents. [Requested by Jaime Alvarado, MIS Director; Account #001-0500-6402 (Equipment Repairs & Maintenance)]

Item No. 19. Discussion and possible action to enter into a Three (3) year (August 11, 2009 through August 10, 2012) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-723 Copier located in the Webb-Zapata County District Attorney's Office at a cost of SEVENTY FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at .008000 cents per black copy and authorizing the county judge to execute all relevant documents. [Requested by Isidro Alaniz, Webb County District Attorney, Account #001-1100-6402 (Repairs & Maintenance)]

Item No. 20. Discussion and possible action to enter into a Three (3) year (August 11, 2009 through August 10, 2010) maintenance agreement (Contract No. 211670-ES453) with Toshiba Business Solutions of Texas concerning a Toshiba ES453 Copier located in the office of the Justice of the Peace, Precinct 4 at a cost of SEVENTY-FIVE DOLLARS (\$75.00) per quarter for a total cost of NINE HUNDRED DOLLARS (900.00) over the term of the agreement and with copy overages being billed at .008000 cents per black copy and authorizing the Webb County Judge to execute all relevant documents. [Requested by Oscar Martinez, Justice of the Peace, Pct. 4; Account #001-1044-6402 (Repairs and Maintenance)]

Item No. 21. Discussion and possible action to enter into a Thirty-Nine (39) month contract between Webb County and Toshiba Financial Services FMV Lease Agreement beginning on September 28, 2009 and ending December 27, 2012 for a Toshiba Digital Color Copier E-Studio 355 located at the Indigent Defense Service Department at a monthly payment of ONE HUNDRED FIFTY-FIVE DOLLARS AND

FIFTY-EIGHT CENTS (\$155.58) for a total cost of SIX THOUSAND SIXTY-SEVEN DOLLARS AND SIXTY-TWO CENTS (\$6,067.62) and a one time document charge of SEVENTY-FIVE DOLLARS (\$75.00) and authorizing the county judge to execute all relevant documents. [Requested by Cornell Mickley, Indigent Defense Services Director]

- Item No. 22. Discussion and possible action to enter into a Thirty-Nine (39) month (September 28, 2009 through December 27, 2012) maintenance agreement (Contract No. 211532-ES355) with Toshiba Business Solutions of Texas concerning a Toshiba E-STUDIO 355 Copier located in the office of the Indigent Defense Services Department at a cost of SIXTY-SEVEN DOLLARS AND SEVENTY CENTS (\$67.70) per quarter for a total cost of TWO THOUSAND SIX HUNDRED FORTY DOLLARS AND THIRTY CENTS (\$2,640.30) over the term of the agreement and with copy coverage being billed at .008530 cents per black copy and authorizing the Webb County Judge to execute all relevant documents. [Requested by Cornell Mickley, Indigent Defense Services Director]
- Item No. 23. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) Preventive Maintenance & Labor Program Agreement with Southwest Solution Group to provide maintenance to the Lektriever (SN30414) located in the Webb County Auditor's office at an annual cost of NINE HUNDRED SEVENTYFIVE DOLLARS (\$975.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Leo Flores, Webb County Auditor]
- Item No. 24. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) Preventive Maintenance & Labor Program Agreement with Southwest Solution Group to provide maintenance to the Lektriever (SN30775) located in the Webb County Attorney's office at an annual cost of NINE HUNDRED SEVENTYFIVE DOLLARS (\$975.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Anna L. Cavazos Ramirez, Webb County Attorney]
- Item No. 25. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) Preventive Maintenance & Labor Program Agreement with Southwest Solution Group to provide maintenance to the Lektriever (SN30762) located in the Webb County Public Defender's office at an annual cost of NINE HUNDRED SEVENTY-FIVE DOLLARS (\$975.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Hugo Martinez, Webb County Public Defender]

Cmr. Sciaraffa motioned to approve items 18, 19, 20, 21, 22, 23, 24, and 25 as submitted. Cmr. Garza seconded the motion.

Mr. Cornell Mickley, Indigent Defense Service Director, stated that on item 22 the amount of \$67.50 should be on a monthly basis instead of on a quarterly basis.

Motion carried 5-0 by unanimous consent.

- Item No. 26. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) Preventive Maintenance & Labor Program Agreement

with Southwest Solution Group to provide maintenance to the Lektriever (SN30416) located in the Webb County Purchasing Department at an annual cost of NINE HUNDRED SEVENTY-FIVE DOLLARS (\$975.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Eloy Ramirez, Webb County Purchasing Agent]

- Item No. 27. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) Preventive Maintenance & Labor Program Agreement with Southwest Solution Group to provide maintenance to the Lektriever (SN30415) located in the Webb County Risk Management's office at an annual cost of NINE HUNDRED SEVENTY-FIVE DOLLARS (\$975.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Cynthia Mares, Webb County Administrative Services Director]
- Item No. 28. Discussion and possible action to enter into a One (1) year (October 1, 2009 through September 30, 2010) Preventive Maintenance & Labor Program Agreement with Southwest Solution Group to provide maintenance to the Lektriever (SN30413) located in the Webb County Treasurer's office at an annual cost of NINE HUNDRED SEVENTYFIVE DOLLARS (\$975.00) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Delia Perales, Webb County Treasurer]
- Item No. 29. Discussion and possible action to enter into a One (1) year (October 27, 2009 through October 26, 2010) non-financial job skills training program ("Host Agency") agreement with AARP Foundation, through the AARP Foundation Senior Community Service Employment Program, to provide job training to senior volunteers at NO COST to Webb County and authorizing the Webb County Judge to execute all relevant documents. [Requested by Cynthia Mares, Administrative Services Director]
- Item No. 30. Discussion and possible action to enter into a Thirty-Six (36) month (September 28, 2009 through September 27, 2012) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-452 copier located in the 406th District Court at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at .008000 cents per black copy and authorizing the county judge to execute all relevant documents. [Requested by Oscar Hale, Jr., 406th District Court Judge]
- Item No. 31. Discussion and possible action to enter into a Thirty-Six (36) month (September 28, 2009 through September 27, 2012) maintenance agreement with Toshiba Business Solutions of Texas concerning a Toshiba ES-350 copier located in the 406th District Court (Drug Court) at a cost of SEVENTY-FIVE DOLLARS (\$75.00) PER QUARTER for a total cost of NINE HUNDRED DOLLARS (\$900.00) over the term of the agreement and with copy overages being billed at .008000 cents per black copy and authorizing the county judge to execute all relevant documents. [Requested by Oscar Hale, Jr., 406th District Court Judge]
- Item No. 32. Discussion and possible action to accept the following right of way and Utility Easements over hereafter described properties:

Property
0.2024 acres, In Porcion
47, City of Laredo, Original
Grantee, Abstract 238

Grantors
D.D. Hachar Charitable Trust

and authorizing the County Judge to sign all relevant documents. [Requested by Fitzgerald Sanchez, Webb County Engineer]

Item No. 33. Discussion and possible action to enter into a Three (3) year (October 1, 2009 through September 30, 2012) software maintenance agreement with New World Systems Corporation for the following software application packages:

- County Court Management Software (Base Package)
- Additional Court Management Software
- Other Court Management Software

at a total cost of NINETY-NINE THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$99,567.00) and authorizing the County Judge to execute all relevant documents. [Requested by Jaime Alvarado, M.I.S. Department Director; Account #001-0500-6411 (Repairs & Maintenance Software)]

Cmr. Martinez motioned to approve items 26, 27, 28, 29, 30, 31, 32, and 33 as submitted. Cmr. Tijerina seconded the motion.

After discussion, Cmr. Martinez and Cmr. Tijerina withdrew their motion to approve item 33.

Cmr. Martinez motioned to approve items 26, 27, 28, 29, 30, 31, 32, and table 33. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34. Discussion and possible action to enter into a Three (3) year (October 1, 2009 through September 30, 2012) software maintenance agreement with New World Systems Corporation for the following software application packages:

- Financial Management Software
- Human Resources Software
- Utility Information Software

at a total cost of ONE HUNDRED SEVENTY-SEVEN THOUSAND FIVE HUNDRED TWELVE DOLLARS (\$177,512.00) and authorizing the County Judge to execute all relevant documents. [Requested by Jaime Alvarado, M.I.S. Director; Account #001-0500-6411 (Repairs & Maintenance Software)]

Item No. 35. Discussion and possible action to enter into a Three (3) year (October 1, 2009 through September 30, 2012) software maintenance agreement with New World Systems Corporation for the following software application packages:

- Law Enforcement Records Software
- Public Safety Interface Software
- Corrections Management Software
- Business Office Software
- Other Software for Public Safety

- Public Safety Mug Shots
- Data Management and Retrieval Tools

at a total cost of TWO HUNDRED SIXTY THOUSAND SIX HUNDRED FORTY-FOUR DOLLARS (\$260,644.00) and authorizing the County Judge to execute all relevant documents. [Requested by Jaime Alvarado, M.I.S. Director; Account #001-0500-6411 (Repairs & Maintenance Software)]

Cmr. Garza motioned to table items 34 and 35 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action to enter into a Two (2) year (August 1, 2009 through July 31, 2011) Vendor Agreement with Just Energy for the "Comprehensive Energy Assistance Program" whereby Just Energy will provide funding to Webb County Community Action Agency for bill payment assistance to eligible low income households; and authorizing the County Judge to execute all relevant documents. [Requested by Javier Martinez, Community Action Agency Interim Director, (Grant Revenue)]

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37. Discussion and possible action to enter into a One (1) year service agreement with Info Seal, LLC (September 28, 2009 to September 28, 2010) for a PS 100 Folder/Sealer unit at an annual cost of SEVEN HUNDRED NINETY-FIVE DOLLARS (\$795.00) and authorizing the County Judge to sign all relevant documents. [Requested by Delia Perales, Webb County Treasurer; Account #]

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and possible action to accept the following right of way, out of Vela Tract and Antonio Santos Subdivision:

Property	Grantors
Vela Tract Share 4 Part 2, Share 7	Simon Jaramillo, Jr. Daena Sanchez
Antonio Santos Tract 14 and 15	Porfirio Rivera Lara

and authorizing the County Judge to sign all relevant documents. [Requested by Fitzgerald Sanchez, Webb County Engineer]

Cmr. Garza motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to approve a contract between Webb County Economic Development Department on behalf of the Webb County Community Action Agency and LHCT Training Center, for LHCT Training Center to train students to obtain a Class A Commercial Driver License. The students subject to this agreement shall be student applicant recipients of training assistance through Webb County Community Action Agency ARRA Project Grant being administered by the Webb County Economic Development Department. [Requested by Juan Vargas, Webb County Economic Development Director, (ARRA Grant Proceeds)]

Item No. 40. Discussion and possible action to approve a contract between Webb County Economic Development Department on behalf of the Webb County Community Action Agency and South Texas Training Center-Laredo to train students in the Nurse Assistant/Home Health Aide program. The students subject to this agreement shall be student applicant recipients of training assistance through Webb County Community Action Agency ARRA Project Grant being administered by the Webb County Economic Development Department. [Requested by Juan Vargas, Webb County Economic Development Director, (ARRA Grant Proceeds)]

Cmr. Tijerina motioned to approve items 39 and 40 as submitted. Judge Valdez seconded the motion.

Mrs. Teresa Hunter, County Attorney's Office, stated that the approval was subject to receiving written authorization from the State.

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action to approve an engineering agreement with Gilpin Engineering Company in the amount of THIRTY-THREE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$33,650.00) for Roadway Plan Revision for the Tanquesitos South Acres Phase I and Phase II area off state Highway 359 and to street paving and for storm drainage plans; and authorizing the Webb County Judge to execute all relevant documents. [Requested by Fitzgerald Sanchez, Webb County Engineer, Account #707-8001-8801-14 (TxDot BCAP Grant)]

Cmr. Garza motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to approve amendments to the Governing Bylaws Of The Webb County Community Action Agency Advisory Board Of Directors to coincide with the requirements as provided by the Texas Department of Housing and Community Affairs. [Requested by Javier H. Martinez, Community Action Agency Interim Director]

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Cmr. Martinez motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43. Discussion and possible action to approve a Contract for Community Development

Program Webb County Self-Help Center by and between Webb County, Texas and the Webb County Community Action Agency, pursuant to terms and requirements of Subchapter Z of Chapter 3206, Texas Government Code (Act) which was effective as of December 18, 2008 and shall terminate on December 18, 2012.

Cmr. Martinez motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to authorize the transfer of the following Slots from the Webb County Road & Bridge Department to the Planning Department; and any other matters incident thereto:

Slot #	Title	Hourly Rate
2207	DPS Clerk I	\$12.65
2115	DPS Clerk I	\$14.59

[Requested by Jose Luis Ramos, Road & Bridge Superintendent]

Cmr. Sciaraffa motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45. Discussion and possible action to renew/enter into a Two (2) year (October 1, 2009 to October 01, 2011) Data Processing Services and Licensing Agreement with Indigent Healthcare Solutions, Ltd. which will assist Indigent Health Care Services Department in processing indigent medical/health care bills. The monthly cost of the service is TWO THOUSAND SIX HUNDRED TWO DOLLARS (\$2,602.00) for a total cost of SIXTYTWO THOUSAND FOUR HUNDRED FORTY-EIGHT DOLLARS (\$62,448.00) over the term of the agreement and authorizing the County Judge to sign all relevant documents. [Requested by Frank Salinas, Webb County Indigent Health Care Services Director; Account #001-4101-6411(Repairs and Maintenance-Software)]

Item No. 46. Discussion and possible action to renew/enter into a contract amendment to the Data Processing Agreement with Indigent Healthcare Solutions (IHS) to provide Medicaid Enrollment Status Services at a fee of TWENTY-FIVE CENTS (\$0.25) per status determination (average searches per month 100, for an average total cost per month of \$25.00); and authorizing the County Judge to sign all relevant documents. [Requested by Frank Salinas, Webb County Indigent Health Care Services Director; Account # 001-4101-6022 (Professional Services)]

Cmr. Sciaraffa motioned to approve items 45 and 46 as submitted. Cmr. Martinez seconded the motion.

Mrs. Teresa Hunter, County Attorney's Office, stated that the approval was subject to the company advising Webb County that the renewal date was forthcoming.

Motion carried 5-0 by unanimous consent.

Honorable Manuel Gutierrez, District Clerk

Item No. 47. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	1110-5601	Administrative Travel	1,149
	1110-6011	Training & Education	2,023
To:	1110-6005	Postage & Courier Service	3,172

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Oscar Hale, 406th District Court Judge

Item No. 48. Discussion and possible action to approve and ratify the agreement between Advantage Computer Technologies, L.L.C., (ACT) and the 406th District Court Drug Court Program to utilize a percentage of the funds received from the grant 2056402 from the Office of the Governor, Criminal Justice Division, specifically to allow ACT to receive payment for computer programming services that will be provided in accordance with the terms of the submitted grant application.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49. Discussion and possible action to ratify the submission of a Resolution in support of the 406th District Court from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) grant application.

Item No. 50. Discussion and possible action to approve and ratify the agreement between the South Texas Council on Alcohol and Drug Abuse (STACADA) and the 406th District Court Drug Court Program to utilize a percentage of the funds received from the grant 2056402 from the office of the Governor, Criminal Justice Division, specifically to allow STACADA to receive payment for treatment services provided in accordance with the terms of the submitted grant application.

Cmr. Martinez motioned to approve items 49 and 50 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

(MEDIA BREAK 10:40 a.m. – 10:59 a.m.)

Mrs. Anna Laura Cavazos Ramirez, County Attorney, asked the Court to entertain an amendment to the motion which approves items 48 through 50 in which the following amounts needed to be stipulated. The amount for item #48 is \$16,000, item #49 is a \$300,000 grant request which will cover for three years for a total of \$900,000, and item #50 is to allow the sum of \$25,000 to STCADA.

Judge Valdez motioned to include the amounts stipulated by the County Attorney as part of the previous motions. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Annette Munoz, Constable Pct. 3

Item No. 51. Discussion and possible action to approve the following line item transfers:

From:	001-0109-6203	General Operations - Operational Reserve	8,803
To:	001-2501-5002	Constable Munoz, Pct. 3 - Incentive Pay	7,084
	001-2501-5301	Constable Munoz, Pct. 3 - FICA	542
	001-2501-5303	Constable Munoz, Pct. 3 - Retirement	688
	001-2501-5305	Constable Munoz, Pct. 3 - Worker's Comp	372
	001-2501-5306	Constable Munoz, Pct. 3- Unemployment	117

Mr. Leo Flores, County Auditor, explained that the transfer was not for Constable Munoz but for a deputy who was working for her.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Ruben Reyes, Constable, Pct. 2

Item No. 52. Discussion and possible action to approve the establishment of a line item account for Forfeiture Funds, and to deposit Check # 000774 in the amount of \$5,580.40.

Cmr. Martinez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Martin Cuellar, Sheriff

Item No. 53. Discussion and possible action to approve the acceptance of a grant award (Grant No. 2129001) in the amount of \$39,289 from the Office of the Governor Criminal Justice Division for salaries and fringe benefits for One (1) Certified Peace Officer and designating the Webb County Judge as the authorized official in all matters pertaining to this grant. This grant has a 35% cash match, which will be provided by the Webb County Sheriff's Office State Forfeiture Funds and; thus, will have no impact on the county's general fund.

Cmr. Tijerina motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 54. Discussion and possible action to continue paying the grant-funded Deputy Sheriffs working under Operation Border Star grant (Grant No. 1979003) for Thirty (30) days until notified about grant continuation award by the Criminal Justice Division of the Governor's Office.

Cmr. Martinez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 55. Discussion and possible action to accept the donation of One (1) 2009 Chevrolet Crew Cab Truck from the U.S. Marshall's Service to the Sheriff's Office fleet inventory for the U.S. Marshall's Task Force; and to provide the necessary insurance coverage for said vehicle.

Vehicle Description:
2009 Chevrolet Crew Cab Truck
VIN: #3GCEC13C29G241401

Cmr. Tijerina motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 56. Discussion and possible action to approve an Eight (8) month advertising agreement between Sagamore-Hill Broadcasting (KGNS-TV) and the Webb County Sheriff's Office effective October 1, 2009 through May 31, 2010. Total Contract price is \$40,000.00 to be billed on a monthly basis at \$5,000.00 per month. [Drug Free Campaign State Forfeiture Fund #168-2001-6707]

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 57. Discussion and possible action to approve the addition of One (1) 2000 Utility Flatbed and One (1) 2000 Peterbilt Tractor to the Sheriff's Office fleet inventory and provide the necessary insurance coverage. [Federal Forfeiture Fund #170-2001-8801]

Equipment Description:

2000 Utility Flatbed, VIN: #1JJF482F8YS692398
09-DEA-510997, M6-09-0107

2000 Peterbilt Tractor, VIN: #1XP5DB9X7YD526294
09-DEA-510990, M6-09-0107

Cmr. Tijerina motioned to table the item and check how much it would be in insurance and repairs and maintenance of equipment. Cmr. Martinez seconded the motion.

Cmr. Garza also asked to provide how many employees are qualified to drive this vehicle.

Motion carried 5-0 by unanimous consent.

Item No. 58. Discussion and possible action to approve an increase in the amount of \$23,147.78 to the following Jail division slots and to place employees within this division to the appropriate slot based on their responsibilities. Funding is available within salaries savings for FY 2009-2010, effective October 1, 2009. Funding will come from reducing the salaries of Slots being paid less than the Salaries Budgeted.

Slot #	Title	Salary	Proposed Adjusted Base Salary
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557	Head Nurse	\$46,554.00	\$56,160.00
558	Nurse	\$42,976.00	\$52,000.00

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Cmr. Tijerina motioned to table the item until all numbers are submitted to make the comparison. Cmr. Martinez seconded the motion.

Mr. Joe Lopez, Sheriff's Office, stated that even with all the cuts that their department has received they have stayed within their budget and advised that these types of items have been very limited.

Cmr. Garza asked Mr. Lopez to bring a summary of where the monies will be taken from.

Motion carried 4-0 with Cmr. Sciaraffa not present.

Item No. 59. Discussion and possible action to approve the appropriation of new revenues generated from the warrant unit service fees in the amount of \$40,000.00 from Justice of the Peace Precinct 4 Budget to the Sheriff's Office Budget in order to purchase law enforcement technology such as security cameras and video surveillance systems.

Judge Valdez motioned to table the item. Cmr. Tijerina seconded the motion.

Motion carried 4-0 with Cmr. Sciaraffa not present.

Honorable Delia Perales, Treasurer

Item No. 60. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer:

From:	001-0300-6014	Equipment Rental	100
To:	001-0300-6402	Repairs & Maintenance Equipment	100

Cmr. Tijerina motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Honorable Patricia A. Barrera, Tax Assessor-Collector

Item No. 61. Discussion and possible action to approve re-organization and salary adjustments to the 2010 General Order of Personnel effective October 1, 2009, without an increase to the adopted budget.

Cmr. Martinez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Tijerina not present.

Auditor

Item No. 62. Discussion and possible action to lift the restrictions initiated by Commissioner's Court regarding salary adjustments, hiring, and line item transfers effective October 1, 2009 with the FY 2009-2010 adopted budget.

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Judge Valdez motioned to lift the restrictions initiated by Commissioner's Court. Cmr. Tijerina seconded the motion.

After discussion, Judge Valdez and Cmr. Tijerina withdrew their motion.

Cmr. Martinez motioned to leave the restrictions in place until the end of the first quarter and get a status report by the Auditor at the end of the first quarter. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 63. Discussion and possible action to rescind previous Commissioner Court action that permitted paying incentives to certain County employees similar to the incentives being paid to members of the Sheriff's Bargaining Unit via the Bargaining Unit Contract. This approval will limit the payment of incentives to only those required by law and to those required by contract. Employees that are not members of the Bargaining Unit but are currently being paid incentives will be grandfathered and continue to receive their current incentives payments. The action will become effective on October 1, 2009 with the FY 2009-2010 Budget.

Cmr. Martinez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez stated that the Court would go into recess and return at 1:30 p.m.

(RECESS 12:00 p.m. – 1:30 p.m.)

Administrative Services

Item No. 64. Discussion and possible action to evaluate the performance of the following Webb County department heads:

Juanita Puente – Director, Santa Teresita Community Center
Antonio Silva – Veteran Service Officer

Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department heads. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Cmr. Sciaraffa motioned to defer this item until the end of the meeting. Cmr. Tijerina seconded the motion.

Motion carried 3-0 with Cmr. Garza and Cmr. Martinez not present.

Item No. 65. Discussion and possible action to approve an exception to the current County wide

freeze for the following line item transfers:

From:	001-0140-5601	Administrative Travel	4,500
	001-0140-6007	Dues & Memberships	400
To:	001-0140-6205	Material & Supplies	4,500
	001-0140-6010	Books & Subscriptions	400

Item No. 66. Discussion and possible action to approve renewal of Webb County's Property and Casualty Insurance contract with Wachovia, Inc. (placing coverage with One Beacon), at an annual cost of approximately \$534,686.00, effective October 1, 2009 through September 30, 2010. [Account #001-0114- 6032]

Item No. 67. Discussion and possible action to approve renewal of Webb County's Excess Workers Compensation Insurance, with Wachovia, Inc. (placing coverage with Midwest Employers Casualty Company) at an annual cost of approximately \$66,162.00, effective October 1, 2009 through September 30, 2010. [Account #001-0114- 6032]

Item No. 68. Discussion and possible action to approve cellular phone upgrade for County phone used by Administrative Services Director. [Requested by Cynthia Mares; Adminstrative Services Director; Account #001-0114- 6670]

Com. Sciaraffa motioned to approve items 65, 66, 67, and 68 as submitted. Com. Tijerina seconded the motion.

Motion carried 3-0 with Com. Garza and Com. Martinez not present.

Casa Blanca Golf Course

Item No. 69. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfers:

From:	800-6016-6201	Utilities Electric	4,125
To:	800-6011-6201	Utilities Electric	4,125
From:	800-6016-6011	Training & Education	3,600
	800-6016-6201	Utilities Cell Phone	2,200
	800-6014-6011	Training & Eudcation	3,600
To:	800-6015-6208	Groceries	9,400
From:	800-6016-6006	Advertising	6,000
To:	800-6013-6780	Trees & Landscaping	6,000

Com. Sciaraffa motioned to approve item as submitted. Judge Valdez seconded the motion.

Motion carried 3-0 with Com. Garza and Com. Martinez not present.

Community Action Agency

Item No. 70. Discussion and possible action to approve the assignment and utilization of the offices located in the Tex-Mex Building currently occupied by the Texas A & M Colonias Program to be assigned upon their move to the Nutrition Center (Hwy 359). These offices will be assigned as part of the Webb County CAA Weatherization Program existing and future staff.

Com. Martinez motioned to approve item as submitted. Com. Tijerina seconded the motion.

Motion carried 4-0 with Com. Garza not present.

Item No. 71. Discussion and possible to transfer monies from the Community Action Agency County Cash Match monies to the Elderly Nutrition Program to cover shortfalls in other line item accounts. [Account #001-012-7200-08]

Com. Sciaraffa motioned to approve item as submitted. Com. Tijerina seconded the motion.

Motion carried 4-0 with Com. Garza not present.

Engineer

Item No. 72. Discussion and possible action to approve Change Order No.3 to Jimmy Closner & Sons Construction Company in the amount of \$12,204.00 for a concrete channel at no increase to the contract, and release of retainage and payment in the amount of \$29,336.60 for the Camino Nuevo Road Improvement Project. The final acceptance and payment of the project is contingent on formal road project acceptance by City of Laredo.

Item No. 73. Discussion and possible action to approve the re-tasking of TWDB Water funds in the amount of \$203,165.13 to partially fund the installation of up to 400 water meter service connections and \$20,297.89 to Construction Management. Commissioner Court approval is contingent on TWDB approval.

From: 646-8006-8801-10 Capt. Outlay-- \$16,850.82	To: Capital Outlay 648-8008-8801 - 11 - \$16,850.82
From: 647-8006-8801-10 Capt. Interest -- \$34,000.00	To: Capital Outlay 648-8008-8801 - 11 - \$34,000.00
From: 647 -8006-3601 Interest -- \$2,000.00	To: Capital Outlay 648-8008-8801 - 11 - \$2,000.00
From: 649 -8006-8801-10 Capt. Interest -- \$75,029.50	To: Capital Outlay 648-8008-8801 - 11 - \$75,029.50
From: 649 -8006-3601 Interest -- \$75,284.81	To: Capital Outlay 648-8008-8801 - 11 - \$75,284.81
Total: \$203,165.13	Total: \$203,165.13

From: 647-8006-880 1-8 Capital Outlay -- \$6,000.00	To: Const. Magt. 648-8006-6099 -- 6 - \$6,000.00
From: 647 -8006-3601 Interest -- \$8,670.53	To: Const. Magt. 648-8006-6099 -- 6 - \$8,670.53
From: 649-8006-6022-8 Testing-- \$1,411.25	To: Const. Magt. 648-8006-6099 -- 6 - \$1,411.25
From: 649-8006-6023-7 Engr-- \$4,216.11	To: Const. Magt. 648-8006-6099 -- 6 - \$4,216.11
Total: \$20,297.89	Total: \$20,297.89

[Account #648-8008-8801-11]

Item No. 74. Discussion and possible action to approve the re-tasking of TWDB Water funds in the amount of \$145,030.32 to partially fund the installation of up to 400 water meter service connections. Commissioner's Court approval is contingent on TWDB approval.

From: 648-8006-6022-2 Legal-- \$67,556.32	To: Capital Outlay 648-8008-8801 - 11 - \$40,509.27
From: 648-8006-6022-7 Inspection -- \$34,911.00	To: Capital Outlay 648-8008-8801 - 11 - \$34,156.00
From: 648 -8006-6022-8 Testing-- \$31,610.00	To: Capital Outlay 648-8008-8801 - 11 - \$31,610.00

From: 648 -8006-8801-10 Interest -- \$7,660.05
 From: 648-8005-6791-3 Contingency-- \$31,095.00
 Total: \$172,832.37

To: Capital Outlay 648-8008-8801 - 11 - \$7,660.05
 To: Capital Outlay 648-8008-8801 - 11 - \$31,095.00
 Total: \$145,030.32

[Account #648-8008-8801-11]

Item No. 75. Discussion and possible action to approve an exception to the current County freeze for the following line item transfers for the Utilities Department:

From:	801-3001-6014	Equipment Rental	\$6,000.00
	801-3001-6402	Repair & Maint. Equip.	\$1,000.00
		Total:	\$7,000.00

To:	801-3002-6403	Repair & Maint. Vehicle	\$3,500.00
	801-3001-6022	Professional Services	\$2,000.00
	801-3001-6224	Minor Tools & Apparatus	\$1,500.00
		Total:	\$7,000.00

Item No. 76. Discussion and possible action to approve an expenditure of an estimated \$ 5,000.00 to conduct an archeological study as required by the Texas State Historical Preservation Office to complete the NEPA environmental documentation at the La Presa subdivision. The site is the proposed location for the construction of a communications tower.

Com. Martinez motioned to approve items 72, 73, 74, 75, and 76 as submitted. Com. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Head Start

Item No. 77. Discussion and possible action to fill the following slot for the 2009-2010 Program Year:

Slot#	Title	Annual Salary	Pay Periods
2155	Part Time/Temporary ARRA Substitute Teacher	\$ 9,753.41	21

[Requested by Aliza F. Oliveros, Head Start Director; Account #903-4208-5001]

Item No. 78. Discussion and possible action to change the title for Slot #1695 from Part Time Accounting Clerk to Part Time Family Service Worker Assistant and fill this slot for the 2009-2010 Program Year.

Slot#	Title	Hourly Rate	Pay Periods
1695	PT Family Service Worker Assistant	\$ 9.27/hour (25 hrs/week)	26

[Requested by Aliza F. Oliveros, Head Start Director; Account #903-4208-5001]

Com. Sciaraffa motioned to approve items 77 and 78 as submitted. Com. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Indigent Healthcare Services

Item No. 79. Discussion and possible action to fill Slot #1891 (Front Desk Coordinator I) between \$10.00 up to \$11.40 per hour and Slot #599 (General Assistance Worker 1) between \$10.00 up to \$11.03 per hour depending on experience, effective October 1, 2009.

Item No. 80. Discussion and possible action to authorize a contribution to the State of Texas Medicaid Program in connection with Webb County UPL program in an amount not to exceed \$87,074.58 to be paid from county fiscal year 2008-2009 funds and \$90,686.42 to be paid from county fiscal year 2009-2010 funds for 4th FY quarter ending September 2009 for a total contribution amount of \$177,761.00.

	GRAND TOTAL UPL CONTRIBUTION		
	FY 08-09	FY 09-10	TOTAL
HOSPITAL INPATIENT Acct #001-4100-6714-3	\$41,672.13	\$74,475.59	\$116,147.72
HOSPITAL OUTPATIENT Acct #001-4100-6714-4	\$45,402.45	\$16,210.83	\$ 61,613.28
TOTAL CONTRIBUTION	\$87,074.58	\$90,686.42	\$177,761.00

Item No. 81. Discussion and possible action to amend the Webb County Policy regarding burial of indigent persons to consider cremation as an alternative to be added to said policy; and any other matters incident thereto.

Cmr. Sciaraffa motioned to approve items 79, 80, and 81 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent on items 79 and 80.

Motion carried 4-1 with Cmr. Garza voting against on item 81.

Planning

Item No. 82. Discussion and possible action to “conditionally” authorize water and sewer connections under recently enacted legislation through S.B. 2253 (by Senator Zaffirini) pursuant to the provisions of Sections 232.029 (n) and (o), Texas Local Government Code (TLGC) and contingent upon the applicant’s connection to adequate sewer services prescribed by Section 232.028(b)(3), TLGC, the execution of all required forms and service contracts, and the payment of all associated connection fees; authorization for the County Judge to execute written certifications upon an applicant’s compliance with the prescribed conditions set-forth by the Court; and, any matter incident thereto to the following described existing, EDAP grant-eligible dwellings:

- Tanquecitos South Acres Subdivision (Recorded in Vol. 5, Pg. 67, W.C.P.R.)
- 1) 139 Riata Rd Unit A located on an unplatted 1.0 acre tract out of Tract 13 (known as Tract 13-A2)
 - 2) 139 Riata Rd Unit B located on an unplatted 1.0 acre tract out of Tract 13 (known as Tract 13-A2)

3) 139 Riata Rd Unit C located on an unplatted 1.0 acre tract out of Tract 13 (known as Tract 13-A2)

Laredo Ranchettes Subdivision (Recorded in Vol. 2, Pg. 230, W.C.P.R.)

4) 124 Ranch Road 7006D located on an unplatted 5.0 acres out of Tract 9

Los Altos Subdivision (Recorded in Vol. 4, Pg. 52, W.C.P.R.)

5) 6946 State Highway 359 located on Block 7, Lot 2

6) 148 Los Altos Dr located on the North ½ Block 7, Lot 12

San Carlos, Subdivision Phase I Subdivision (Recorded in Vol. 4, Pg. 34, W.C.P.R.)

7) 7416 State Highway 359 located on Block 2, Lot 4

San Carlos, Subdivision Phase II Subdivision (Recorded in Vol. 4, Pg. 34, W.C.P.R.)

8) 286 Emiliano Rd located on Block 7, Lot 7

Staff recommends approval as submitted.

Public Defender

Item No. 83. Discussion and possible action to approve an exemption to the current County wide hiring freeze to allow the Public Defender’s Office to fill the following vacant slot effective October 10, 2009.

Slot #	Title	Salary
2476	Assistant Public Defender	\$64,791

Purchasing

Item No. 84. Discussion and possible action to authorize the service and maintenance for the video conferencing equipment from I-2-I Technologies in the amount of \$1,675.00 for the Justice of the Peace Pct. 4. [Requested by Oscar O. Martinez, Justice of the Peace, Pct. 4; Account #016-1044-6224 (Technology Account)]

Item No. 85. Discussion and possible action to upgrade the video surveillance and security system in the amount of \$1,732.81 from Simplex Grinnell for Oscar Martinez, Justice of the Peace Pct. 4. [Requested by Oscar O. Martinez, Justice of the Peace, Pct. 4; Account #016-1044-6224 (Technology Account)]

Comr. Martinez motioned to approve items 82, 83, 84, and 85 as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 86. Discussion and possible action to authorize the purchase of the following equipment requested by Public Information Officer:

Description	Vendor	Amount
Gooseneck Misc w/Phantom Pwr. 18	Videotex	\$ 250.00
Gooseneck Misc w/Base, PGM SWTC	Videotex	300.00
AmpliVox Sound System	B&H Photo-Video	875.00
JVC LM-Hi71U 17" Prof. LCD Monitor	Omega Broadcast	4,200.00
Bose LI model II single Bass Package w/ToneMatch audio engine	Guitar Center	3,158.81
	TOTAL:	\$8,783.81

[Requested by Larry Sanchez, Public Information Officer, Account #016-0101-8801 (Capital Outlay)]

- Item No. 87. Discussion and possible action to authorize the purchase of Safety Footwear in the amount of \$8,897.45 from Gateway Uniforms for Road and Bridge personnel. [Requested by Jose Luis Ramos, Road & Bridge Director, Account #010-7002-6202 (Uniforms)]
- Item No. 88. Discussion and possible action to authorize the purchase of Five (5) Segways in the amount of \$27,195.00 from Z-Riders of Texas for the Sheriff's Department. [Requested by Martin Cuellar, Webb County Sheriff; Account #308-2001-8801 (Capital Outlay)]
- Item No. 89. Discussion and possible action to ratify the purchase of additional equipment for the Judge Solomon Casseb, Jr., Webb County Youth Village in the amount of \$46,393.00 from Secure Control Systems, LLC. [Requested by Eloy Ramirez, Jr., Webb County Purchasing Agent; Account #684-1301-8410 (Equipment)]

Cmr. Sciaraffa motioned to approve items 86, 87, 88, and 89 as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 90. Discussion and possible action to award or reject the following Annual Contracts for F.Y. 2009-2010.

Bid No.	Description	Vendor
2010-01	Fuel	Arguindegui Oil (Primary)
2010-02	Lubricants	Arguindegui Oil (Primary)
2010-03	Flexible Base	Raymond Botello, Bertha Alderete Brothers Materials and Las Tinedas
2010-04	Emulsion	Leyendecker Materials
2010-05	Auto Parts	Gonzalez Auto Parts (Primary) Laredo Wholesale (Primary)
2010-06	Batteries	Gonzalez Auto (Primary) Battery Service (Secondary)
2010-07	Heavy Equipment Parts	RDO Equipment (Primary) Holt Co. (Secondary)
2010-08	Wheel Alignment Balancing	J.R. Martinez Auto (Primary) Laredo Wholesale (Secondary)
2010-09	Replacement Muffler	Laredo Muffler (Primary)
2010-10	Milk, Juice and Orange Drink	Southern Foods Group (Primary) d/b/a Hygeia Dairy

2010-11	Coffee	Ben E. Keith (Primary) Farmers Brothers (Secondary)
2010-12	Sliced Bread	Flowers Baking (Primary)
2010-13	Spices Related Items	Ben E. Keith (Primary) La India Packing co. (Secondary)
2010-14	Janitorial Supplies	Patria Int'l Office (Primary) Ben E. Keith (Secondary)
20110-15	Oxygen, Acetylene Welding Supplies	AOC Welding Supply (Primary)
2010-16	Electrical Supplies	C.E.Distributors (Primary)
2010-17	Maintenance and Service Fire Extinguishers	Border Fire (Primary) Profire Protection (Secondary)
2010-18	Pest Control	Orkin Pest (Primary) ASASH Pest (Secondary)
2010-19	Pharmaceutical Supplies	Diamond Drugs, Inc (Primary Jail Only) People's Preferred Pharmacy (Primary, Secondary)
2010-20	Car Wash Services	Lone Star Auto Plex Magic Car Wash (Award by Drawing of lots) Section 262.027 awarding of Contracts Section b Texas Local Government Code.
2010-21	Tires and Tubes	Southern Tire Mart (Primary) A to Z Tire (Secondary)
2010-22	Light Bulbs for Justice Center	C.E. Distributors (Primary)
2010-24	Auto and Truck Parts w/ Parts service-out of County shop	J.R. Martinez Auto (Primary) Laredo Wholesale (Secondary)
	A/C Only	J.R. Martinez Auto (Primary) Andy's Auto Air (Secondary)
2010-25	Automotive Glass Replacement	Guerra Towing (Primary)
2010-26	Plumbing Supplies	Clark Hardware (Primary)
2010-27	Liquid Soil Stabilizer	Momar Inc. (Primary) J & B Industries (Secondary)
2010-30	Hot Mix Asphalt	Leyendecker (Primary) Brothers Material (Secondary)

2010-40	Automatic Transmission Repair	J.R. Martinez Auto (Primary)
2010-41	Engine Repair and Overhauls	J.R. Martinez Auto (Primary)
2010-42	Automotive Electrical Repair	J.R. Martinez Auto (Primary)
2010-43	Machine Shop Repair	J.R. Martinez Auto (Primary)
2010-57	Refuse Collection	Southern Sanitation (Primary)
2010-58	Two Year Food Commodity For Jail	Ben E. Keith (Primary) Sysco San Antonio (Secondary)
2010-59	Two Year Milk, Eggs, Orange Juice, for Jail	Southern Foods Group (Primary) d/b/a Hygeia Dairy Ben E. Keith (Secondary)
2010-61	Two Year Tortillas Jail	Sonia Distributors (Primary) Flour Tortillas Esquisita Distributors (Primary) Corn Tortillas
2010-66	Aggregate 0010 blend 73/Bin1	Martin Marietta (Primary)
2010-67	Trap Rock 624 Grade 4 & 5	Vulcan Materials (Primary)
2010-68	Auctioneering Services	Cabco Auctioneering (Primary)

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Mr. Eloy Ramirez, Purchasing Agent, recommended that as per Local Government Code there should be a drawing for the secondary bidder for carwash being that there was a tie between Royal Treat Carwash and Power Carwash.

After drawing was done, the second bidder was Power Carwash.

Comr. Sciaraffa motioned to approve item with the second bidder for the carwash to be Power Carwash. Comr. Martinez seconded the motion.

Motion carried 4-0 with Comr. Tijerina abstaining from voting.

Item No. 91. Discussion and possible action to award Bid 2009-28 "Weatherization Contractor for Labor and Material" for the CAA Weatherization Program to the following:

AA Builders	Primary
Morales Construction	Secondary

[Requested by Javier Martinez, Community Action Agency Interim Director]

Comr. Martinez motioned to approve item as submitted. Comr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 92. Discussion and possible action to authorize the material and labor for the installation of storm drainage on the Old Milwaukee Center Road Drainage Improvements in the amount of \$43,862.50 from Closner Construction Company, LC. [Requested by Fitzgerald Sanchez, Webb County Engineer; Account #705-8001-8801-14 (Capital Outlay Construction in Progress)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 93. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Qualifications to add additional space at J.P. Oscar O. Martinez's Office of approximately 1,500 sq. ft. at a cost of approximately \$300,000.00; and any other matter incident thereto. [Requested by Oscar O. Martinez, Justice of the Peace, Pct. 4]

Cmr. Tijerina motioned to table the item until funding is allocated. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 94. Discussion and possible action to authorize the necessary refinishes and additional material in the amount of \$9,998.60 from Lozano's Garage & Body Shop for the new Patrol Cars for the Sheriff' Department, Patrol Division. [Requested by Martin Cuellar, Webb County Sheriff; Account #001-2001-6403].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 95. Discussion and possible action to authorize the purchase of the following for Judge Oscar Martinez' Office:

Qty.	Description	Vendor	Amount
13	Computers	Dell (DIR-SDD-890-TX)	\$15,364.96
13	Software	Dell (DIR-SDD-198)	\$ 4,479.02
			\$19,843.98

[Requested by Oscar Martinez, Jr., Justice of the Peace, Pct 4; Account #016-1044-8801(Capital Outlay)]

Item No. 96. Discussion and possible action to authorize the purchase of Two (2) Scanners in the amount of \$2,795.02 from S.C.W. for the Auditor's Department. [Requested by Leo Flores, Webb County Auditor; Account #660-0400-8801 (Capital Outlay)].

Cmr. Sciaraffa motioned to approve items 95 and 96 as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 97. Discussion and possible action in regards to the Letters of Interest received for the

consideration of the construction of an (18) Eighteen Hole Golf Course and any matters incident thereto. [Requested by Eloy Ramirez, Jr., Webb County Purchasing Agent]

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Comr. Tijerina motioned to have the committee meet to formulate a criteria and bring back to the Court for approval. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, advised the Court that Mr. Leo Flores, County Auditor, requested clarification on the purchase of the cell phone on item 68 which was to be the purchase of a Blackberry phone.

Quad City Community Center

Item No. 98. Discussion and possible action to approve an exception to the current County wide freeze for the following line item transfer;

From:	001-6100-6204	Fuel & Lubricants	400
To:	001-6100-5602	Local Mileage	400

Road & Bridge

Item No. 99. Discussion and possible action to authorize the Webb County Road & Bridge Department to transfer and fill the following positions;

Transfer Employees:	Title	Salary
From: Slot #2208	Paving Supervisor	\$40,976.00/bi-weekly
To: Slot #1378	Construction Maintenance Supervisor	\$41,538.00/bi-weekly
From: Slot #2356	Truck Driver	\$11.41/hr.
To: Slot #668	Vacuum Truck Driver	\$13.51/hr.
Vacant Slots:		
Slot #2208	Paving Supervisor	\$40, 976.00/biweekly
Slot #683	Heavy Equipment Operator	\$14.24/hr
Slot #2356	Truck Driver	\$11.41/hr
Slot #1897	Maintenance Aide	\$10.48/hr

Comr. Sciaraffa motioned to approve items 98 and 99 as submitted. Comr. Martinez seconded the motion.

Mr. Jose Luis Ramos, Road & Bridge Department, stated that there was a typographical error on the salary which should be annually.

Motion carried 5-0 by unanimous consent.

Item No. 14. Discussion and possible action to approve the transfer and reclassification of the following Slots:

From:
Slot #2240 **County Court at Law 2**
Slot #0545 **Mental Health Unit**

To:
Mental Health Unit
County Court at Law 2
(Reclassify Slot as Peace Officer)

Discussion on file at the Webb County Clerks Office under the September 28, 2009 Commissioner's Court meeting dvd.

Comr. Garza motioned to approve item as submitted.

Motion died for lack of second.

Comr. Tijerina motioned to table the item and come back in two weeks. Comr. Sciaraffa seconded the motion.

Motion carried 4-1 with Comr. Garza voting against.

Comr. Tijerina motioned to go into executive session. Judge Valdez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mrs. Anna Laura Cavazos Ramirez, County Attorney's Office, stated that the Court could go into executive session for consultation with attorney and in regards to personnel matters the employees may opt to have an open or closed evaluation.

(EXECUTIVE SESSION 2:12 p.m. – 2:55 p.m.)

Judge Valdez stated that no action was taken in executive session.

Item No. 64. Discussion and possible action to evaluate the performance of the following Webb County department heads:

Juanita Puente – Director, Santa Teresita Community Center
Antonio Silva – Veteran Service Officer

Action to be taken by Commissioners Court may include continuation of employment, reassignment, modification of duties, disciplinary action, dismissal, or other actions. The Commissioners Court may take such other action as may be necessary to implement its decisions including, but not limited to, appointment of interim department heads. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]

Comr. Tijerina motioned to conduct evaluations for both employees on Tuesday, October 13th, have Ms. Juanita Puente temporarily reassigned to the Fred M. and Anita Bruni Community Center effective immediately tomorrow at 8:00 a.m. under the supervision of Mr. Jose Gutierrez, and give Ms. Puente the letter that was submitted so that she have five days to respond. Comr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 100. Adjourn

Comr. Garza motioned to adjourn. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.